

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 20, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

ZON-25342 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: CRAIG P. AND ELLEN KAY KENNY - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.47 acres at the southeast corner of Clark Avenue and 8th Street (APNs 139-34-710-054, 055, and 056), Ward 3 (Reese)

C.C.: 02/06/08

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

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RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcards for Items 21 and 24
7. Submitted after final agenda – Protest Letters for Items 21-25

Motion made by STEVEN EVANS to Approve

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

GLENN TROWBRIDGE, DAVID STEINMAN, BYRON GOYNES, STEVEN EVANS, SAM DUNNAM; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-RICHARD TRUESDELL)

Minutes:

ACTING CHAIRMAN GOYNES declared the Public Hearing open for Items 21-25.

DOUG RANKIN, Planning and Development Department, recommended approval of both zoning applications as they conform to the General Plan. He recommended denial of the site plan and variance requests. He stated the variances are self-imposed hardships which indicate the applicant is attempting to overbuild the site.

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LEON SYMANSKI, 723 South 7th Street, and DAVID ELLERTSON, 103 East Charleston Boulevard, appeared on behalf of the applicant. MR. SYMANSKI stated the proposed building would enhance the neighborhood and would allow the law firm to grow and continue to serve the community.

LAWRENCE ROUSE, 523 South 8th Street, appeared in opposition and expressed concern with the building's insufficient parking and the negative impact it would have on his law practice. He stated the building would be more appropriate in a commercial area rather than this neighborhood.

TODD FARLOW, 240 North 19th Street, concurred with MR. ROUSE. ANN SALSBUURY, 617 South 8th Street, also concurred with MR. ROUSE and pointed out that parking is at a premium in this area. LLOYD BAKER, Baker Law Offices, 500 South 8th Street, concurred with the previous speakers and stated the proposed building is inappropriate for the neighborhood.

JOHN KRIEGER, 621 South 7th Street, appeared in support and stated this project was the next step in downtown development.

MR. ELLERTSON explained the project would not negatively impact neighbors and would be a benefit to the area. He pointed out the existing law firm had no on-site parking and this project would provide parking where none had existed before. He stated that parking had not been provided for the fourth story since it would be used as a recreational area for the staff.

COMMISSIONER EVANS expressed his support, stating that the standards for downtown parking are very different from suburban requirements. He disclosed that he had non-financial dealing with the applicant and had observed that the business does not generate a high traffic volume. He encouraged MR. ELLERTSON to increase the amount of landscaping and complimented the applicant on providing a recreational deck for the employees.

In response to COMMISSIONER TROWBRIDGE'S questions, MR. ELLERTSON stated that additional right-of-way would be provided for the alley and expressed the applicant's willingness to provide more trees in the parking lot.

COMMISSIONER TROWBRIDGE expressed his support of the zoning request, but suggested that the structure might not be appropriate for the neighborhood.

MR. ELLERTSON assured COMMISSIONER TROWBRIDGE that the number of vehicles generated by the business should not exceed the provided parking. MR. SYMANSKI informed COMMISSIONER TROWBRIDGE that the existing law firm currently has 30 employees and 16 parking spaces.

COMMISSIONER DUNNAM stated he could not support the project as only 61 percent of the required parking spaces were being provided. He complimented the building's design but stated it was inappropriate for the property and the neighborhood.

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COMMISSIONER STEINMAN observed that many downtown projects have parking variances. He expressed concern with using the non-contiguous lot for parking, but noted that the project's height would be appropriate in this area. He encouraged the applicant to work with staff to ensure the parking lot would be attractive.

ACTING CHAIRMAN GOYNES declared the Public Hearing closed for Items 21-25.

